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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:12-CR-155-APG-(VCF)
11 HARLAN QUESTORIA HIGA,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on June 6, 2013, defendant HARLAN QUESTORIA HIGA pled guilty
15 to Count Two of a Four-Count Criminal Indictment charging him with Conspiracy to Possess a
16 Controlled Substance with Intent to Distribute - Tetrahydrocannabinol (THC), in violation of Title
17 21, United States Code, Sections 846 and 841(a)(1). Criminal Indictment, ECF No. 1; Change of
18 Plea Minutes, ECF No. 44; Plea Agreement, ECF No. 45.

19 This Court finds defendant HARLAN QUESTORIA HIGA agreed to the forfeiture of the
20 property set forth in the Plea Agreement. Plea Agreement, ECF No. 45.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
22 America has shown the requisite nexus between property set forth in the Plea Agreement, and the
23 offense to which defendant HARLAN QUESTORIA HIGA pled guilty. Criminal Indictment, ECF
24 No. 1; Change of Plea Minutes, ECF No. 44; Plea Agreement, ECF No. 45.

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1 The following assets are subject to forfeiture pursuant to Title 18, United States Code,
2 Section 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21,
3 United States Code, Section 853(a)(1) and (2); and Title 21, United States Code, Section 881(a)(11):

- 4 1) \$972 in United States Currency;
- 5 2) Walther PPS, 9mm handgun, serial #AC8749;
- 6 3) Sig Sauer, model P220, .45 caliber handgun, serial #G344535;
- 7 4) Springfield Armory, model XD-9, 9mm handgun, serial #USB14380;
- 8 5) Heckler & Koch, model HK45, .45 caliber handgun, serial #HKU-002807;
- 9 6) Walther PPK, model S-1, .380 caliber handgun, serial #8174BAC;
- 10 7) Smith and Wesson Airweight, .38 caliber handgun, serial #DBR0046;
- 11 8) LWRR International, M6/A3, 5.56 caliber rifle, serial #80-0060;
- 12 9) Norinco, Mak-90 Sporter, 7.62 caliber rifle, serial #9458024;
- 13 10) Norinco, Mak-90 Sporter, 7.62 caliber rifle, serial #9363156;
- 14 11) 5, 5.56mm caliber magazines;
- 15 12) 8, 7.62x39 caliber magazines;
- 16 13) 3, HK .45 caliber magazines;
- 17 14) 3, Springfield XD, 9mm magazines;
- 18 15) 4, Walther .380 caliber magazines;
- 19 16) 3, Sig Sauer, .45 caliber magazines;
- 20 17) 1, Walther 9mm magazine; and
- 21 18) any and all ammunition (“property”);

22 This Court finds the United States of America is now entitled to, and should, reduce the
23 aforementioned property to the possession of the United States of America.

24 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
25 United States of America should seize the aforementioned property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
2 HARLAN QUESTORIA HIGA in the aforementioned property is forfeited and is vested in the
3 United States of America and shall be safely held by the United States of America until further order
4 of the Court.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
6 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
7 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
8 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
9 the name and contact information for the government attorney to be served with the petition,
10 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
12 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
14 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
15 following address at the time of filing:

16 Michael A. Humphreys
17 Assistant United States Attorney
18 Daniel D. Hollingsworth
19 Assistant United States Attorney
20 Lloyd D. George United States Courthouse
21 333 Las Vegas Boulevard South, Suite 5000
22 Las Vegas, Nevada 89101

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
24 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
25 following publication of notice of seizure and intent to administratively forfeit the above-described
26 property.

DATED this 14th day of June, 2013.


UNITED STATES DISTRICT JUDGE

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CM/ECF:

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